

## REMARKS

The mail emergency has confused the prosecution history of this case with Office Actions and Amendments crossing in the mail. All previous claims have been cancelled. New claims 22- 39 have been substituted therefor. Applicant has taken this opportunity to place the claims in some semblance of logical order. The claims correspond as follows:

<u>Claim Number 02-26-02 Amendment</u>	<u>Claim Number 11-01-01 Amendment</u>
22	16
23	19
24	9
25	10
26	11
27	12
28	13
29	14
30	4
31	5
32	6
33	7
34	20
35	21
36	8
37	15
38	17
39	18

Claims 22 - 39 are thus in this case and therefore in issue. In accordance with a telephone conference of this date with the Examiner, no further action need be done by applicant at this time. Applicant does however desire to submit the following list of

article citations for the Examiner's consideration, which are attached hereto as Attachment 1, and a copy of reference # 6 as Attachment 2, which are directed towards the validity of *in vitro* tests as a predictor of efficacy in treating humans.

Appropriate replacement pages are attached hereto for placement in this file.

All claims are now believed to be in condition for allowance and action to that end is respectfully requested and early urged.

Respectfully submitted,



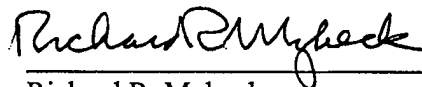
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#### CERTIFICATE OF TRANSMISSION BY FAX

I hereby certify that this correspondence is being transmitted via fax to the fax designated by the examiner in charge of this application, namely 703-872-9306 on the date indicated below.

February, 26 2002



Richard R. Mybeck